



UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
MIDDLE DIVISION

UNITED STATES OF AMERICA

v.

ROBERT H. JOHNSON

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No. 3:12-00175
JUDGE TRAUGER

**MOTION TO CONTINUE JANUARY 29 TRIAL AND
TO EXTEND TIME FOR FILING PRETRIAL MOTIONS**

Through counsel, defendant Robert H. Johnson moves to continue the January 29, 2013 trial and to extend the time for filing pretrial motions until two weeks before any trial date. Mr. Johnson is in custody pending trial.

In support of this motion, defense counsel would show the following: Defense counsel is still researching and investigating both trial and sentencing issues in this matter, and cannot determine the necessity for filing any pretrial motions until this investigation is completed. This matter involves a search of Mr. Johnson's home which revealed apparently incriminating items and a forensic computer examination. Defense counsel is still in the process of determining (1) whether any search issues exist in this matter, (2) whether experts are appropriate or necessary, and (3) whether additional sentencing issues exist.

Defense counsel cannot determine whether pretrial motions are appropriate or necessary, or advise Mr. Johnson as to how he should proceed, until defense counsel completes this review. Mr. Johnson cannot make a knowing and intelligent decision as to how he should proceed until the above issues are addressed. For these reasons, the defendant moves to continue his trial and to extend the deadline for filing any pretrial motions.

Defense counsel has conferred with Mr. Johnson about his speedy trial rights and a possible continuance. Mr. Johnson concurs in the request to postpone this matter, and has read and signed a speedy trial waiver.